

**PATENT APPLICATION**  
 Application No.: 10/806,768  
 Attorney Ref. No.: 00101US01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application No.: 10/806,768	)	
	)	
Issue Date: n/a	)	Group Art Unit: n/a
	)	
Appl. No.: 10/806,768	)	Examiner: n/a
	)	
Filed: April 26, 2006	)	SPE:
	)	
For: SYSTEM AND METHODS FOR	)	
ARC SHUTTERS	)	
	)	
	)	

**Petition to Withdraw the Holding of Abandonment under 37 CFR 1.181(a)**

Office of Petitions *OIP*  
 Commissioner for Patents  
 P.O. BOX 1450  
 Alexandria, VA 22313-1450  
 Facsimile (571) 273-8300

Dear Sir or Madam:

In response to an action dated March 29, 2006 with a two month time for response May 9, 2006 to Petition to Withdraw the Holding of Abandonment for the above referenced application, I enclosing a the following:

- 1) A copy of the Notice to Filing Missing Parts 37 CFR 1.53(b), as received
- 2) A copy of the Original filed Response to Notice to Filing Missing Parts 37 CFR 1.53(b)
- 3) A copy of the Original Certificate of Mailing under 37 CFR 1.8, dated July 2, 2004

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- 4) A copy of the Check in the amount of \$43.00, signed, dated, referencing the above application number and it's Endorsement by the PTO on July 12, 2004.
- 5) A copy of the Notice of Abandonment under 37 CFR 1.53(b) or (g), dated March 29, 2006
- 6) This Petition to Withdraw Holding of Abandonment, 37 CFR 1.181(a)
- 7) A new Certificate of Facsimile Transmission for This Response

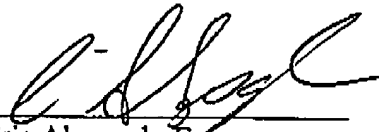
The Commissioner received a complete response to the Notice to File Missing Parts in July of 2004. This is evidenced by the enclosed documents #1-5. The response was due August 9, 2004. The response was mailed July 2, 2004. The Office endorsed the check on July 12, 2004. The check cleared the bank on July 15, 2004, personal communication. Clearly, the Office received the necessary documents and received payment for the response in a timely fashion. This petition complies with all the requirements of 37 CFR 1.181(a). It is hereby requested that the holding of abandonment be withdrawn.

The application as originally filed requested expedited processing due to the Inventor's status. Further, it is believed that the application is in condition for allowance. Please expedite the examination of this petition.

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If you have any questions regarding this correspondence I may be reached by  
phone at (949) 553-8300 or via e-mail [e.alspaugh@biosensors.com](mailto:e.alspaugh@biosensors.com).

Respectfully submitted,



Eric Alspaugh, Esq.  
Registration No. 54,783

April 26, 2006

MAY 01 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/806,768	03/19/2004	Carlos Marques Cabrera	00101US01

CONFIRMATION NO. 2421  
ABANDONMENT/TERMINATION  
LETTER

40646  
BIOSENSORS INTERNATIONAL USA  
20280 SW ACACIA STREET, SUITE 300  
NEWPORT BEACH, CA 92660

Date Mailed: 03/29/2006

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/09/2004.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37

CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

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*A copy of this notice MUST be returned with the reply.*

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Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 2 - COPY TO BE RETURNED WITH RESPONSE